

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE KALOBIOUS
PHARMACEUTICALS, INC.
SECURITIES LITIGATION

Case No. 5:15-cv-05841-EJD

CLASS ACTION

THIS DOCUMENT RELATES TO ALL
ACTIONS

**~~[PROPOSED]~~ ORDER VACATING
MOTION TO DISMISS HEARING IN
LIGHT OF SETTLEMENT AND SETTING
PRELIMINARY APPROVAL HEARING
DATE**

Date: March 29, 2018
Time: 9:00 a.m.
Courtroom: 4 – 5th Floor
Judge: Hon. Edward J. Davila

The Court has considered the stipulation by and between Plaintiffs and Defendant Shkreli requesting that: (1) the hearing on Defendant Shkreli's Motion to Dismiss set for February 8, 2018 be vacated in light of the parties' agreement to settle the case against Defendant Shkreli; (2) the proceedings be stayed except as necessary for the Court to consider the proposed settlement and to rule upon settlement-related motions as they are filed; and (3) the hearing on Plaintiffs' motion for preliminary approval of the proposed settlement with Defendant Shkreli be held jointly with the hearing on Plaintiffs' unopposed motion for distribution of the settlement fund arising from their previous settlement with Defendants KaloBios, Martell, and Cross, which motion is calendared for March 29, 2018 at 9:00, in Courtroom 4 - 5th Floor, 280 South 1st Street, San Jose, CA, 95113, at which this Court has previously granted Plaintiffs' counsel's request to appear telephonically. The relief requested in the parties' stipulation is hereby GRANTED.

Dated: February 1, 2018

SO ORDERED:

A handwritten signature in black ink, appearing to read 'E. Davila', is written over a horizontal line.

HON. EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE